

## **REMARKS**

In response to the Office Action mailed on September 19, 2007, the Applicants respectfully request reconsideration in view of the following remarks. In the present application, claims 1, 5-8, 10, 11, 18, 22-25, 27, and 28, have been amended and claims 4 and 21 have been canceled without prejudice or disclaimer. The independent claims 1 and 18 have been amended to include the recitations from canceled claims 4 and 21, respectively. No new matter has been added.

Claims 1-3, 5-20, and 22-28 remain pending in the application. In the Office Action:

1. The specification is objected to;
2. The drawings are objected to;
3. Claims 1, 3-5, 7, 18, 20-22, and 24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Hsing et al. (U.S. Patent No. 6,167,025, hereinafter Hsing);
4. Claims 2 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hsing in view of Bruno et al. (U.S. Patent No. 5,894,475, hereinafter "Bruno");
5. Claims 6 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hsing;
6. Claims 10, 12-17, and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen in view of Ashton et al. (U.S. Patent No. 6,181,679, hereinafter "Ashton");
7. Claims 11 and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hsing in view of Chen et al. (U.S. Patent Pub. No. 2005/0013242, hereinafter "Chen"); and
8. Claims 8, 9, 25, and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hsing in view of Bryenton (U.S. Patent. No. 6,826,184, hereinafter "Bryenton")

### **Specification Objections**

In the Office Action, the specification is objected to for because of informalities. In response, the specification has been amended as suggested by the Examiner. Therefore, it is respectfully submitted that the objection to the abstract and specification be withdrawn.

### **Drawing Objections**

In the Office Action, the drawings are objected to for not showing every feature of the invention specified in the claims. In particular, the Office Action states the DLCIs, VPI/VCI,

PVCs and SVCs must be shown or the feature(s) canceled from the claim(s). In response, Applicants respectfully traverse this objection.

It is respectfully submitted that those skilled in the art will appreciate that in frame relay networks, DLCIs are 10-bit address fields contained in a header of each data frame and contain identifying information for a logical circuit as well as information relating to a destination of the data in the frame and service parameters for handling network congestion. VPI/VCIs are similar address fields for ATM networks. See Specification, page 8, line 25-page 9, line 10. Figure 1 shows a data network which, as described in the Specification on page 6, lines 27-28, may be a frame relay network or an ATM network and which may utilize DLCIs or VPI/VCIs to identify the logical circuits shown therein. Thus, it is respectfully submitted that the data network shown in Figure 1 also inherently shows DLCIs and VPI/VCIs since these address fields are inherent with respect to frame relay and ATM networks.

Figure 1 shows a data network which, as described in the Specification on page 9, lines 8 through 15, includes a logical circuit which may be either a PVC or an SVC. As described on page 8, lines 18-21 in the Specification, the logical circuit in Figure 1 may include the variable communication path within the LATA 5 and a fixed communication path (i.e., the logical connection 102) between the LATA 5 and the IEC 10. Thus, it is respectfully submitted that the data network of Figure 1 inherently shows a PVC or an SVC since, as described in the Specification, the logical circuit shown therein may be either of these circuit types.

Based on the foregoing, it is respectfully submitted that the objection to the drawings be withdrawn.

### **Claim Rejections - 35 U.S.C. §102**

Claims 1, 3-5, 7, 18, 20-22, and 24 are rejected as being anticipated by Hsing. The rejection of these claims is respectfully traversed.

Amended claim 1 specifies a method for automatically tracking the rerouting of logical circuit data in a data network. The method includes generating current reroute statistics upon the rerouting of logical circuit data from one or more failed logical circuits to one or more logical failover circuits in the data network, the current reroute statistics including trap data received for the one or more failed logical circuits in the data network; generating a table for presenting the current reroute statistics without manual intervention; generating updated rerouted statistics, the updated reroute statistics including updated trap data received for the one or more failed logical circuits in the data network; and updating the table with the updated reroute statistics without manual intervention wherein the current reroute statistics comprise trap data generated in “real-time” and communicated to a logical element module and not stored in switches that generated the trap data, and wherein each of the one or more failed logical circuits and each of the one or more logical failover circuits in the data network is identified by a logical circuit identifier that is renamed until the one or more failed logical circuits has been restored.

It is respectfully submitted that Hsing fails to teach or suggest each and every feature specified in amended claim 1. For example, Hsing fails to teach wherein the current reroute statistics comprise trap data generated in “real-time” and communicated to a logical element module and not stored in switches that generated the trap data, and wherein each of the one or more failed logical circuits and each of the one or more logical failover circuits in the data network is identified by a logical circuit identifier that is renamed until the one or more failed logical circuits has been restored.

In contrast, Hsing merely discloses a re-route setup message. For example, in Hsing, the re-route set message includes a call identifier, a source switch identifier, and a destination switch identifier for the call being re-routed. See col. 15, lines 6-10. In other words, Hsing generates a re-route message for identifying a source switch and a destination switch. In particular, Hsing fails to teach or disclose renaming failed circuits and receiving trap data in real time. Thus, based on the foregoing, amended claim 1 is allowable over Hsing and the rejection of this claim should be withdrawn.

Claims 3-5 and 7 depend from amended claim 1, and are thus allowable for at least the same reasons. Therefore, the rejection of these claims should also be withdrawn.

Amended independent claim 18 specifies similar features as amended claim 1 and thus is allowable over Hsing for at least the same reasons. Based on the foregoing, the Hsing fails to teach, disclose, or suggest each of the features specified in claim 18. Therefore, claim 18 is allowable and the rejection of this claim should be also withdrawn. Therefore, the rejection of these claims should also be withdrawn.

Claims 20-22 and 24 depend from amended claim 18, and are thus allowable for at least the same reasons. Therefore, the rejection of these claims should also be withdrawn.

#### **Claim Rejections - 35 U.S.C. §103**

Claims 2 and 19 are rejected as being unpatentable over Hsing in view of Bruno. The rejection of these claims is respectfully traversed.

Claims 2 and 19 depend from amended claims 1 and 18, respectively, and are thus allowable for at least the same reasons. As stated above Hsing fails to teach or disclose renaming failed circuits and receiving trap data in real time. In addition, Bruno fails to overcome Hsing's deficiencies. For example, Bruno merely discloses collecting billing information for

input into a billing system. See col. 1, line 66-col. 2, line 6. Therefore, the rejection of these claims should also be withdrawn.

**Claim Rejections - 35 U.S.C. §103**

Claims 6 and 23 are rejected as being unpatentable over Hsing in view of Bruno. The rejection of these claims is respectfully traversed.

Claims 6 and 26 depend from amended claims 1 and 18, respectively, and are thus allowable for at least the same reasons. As stated above Hsing fails to teach or disclose renaming failed circuits and receiving trap data in real time. Therefore, the rejection of these claims should also be withdrawn.

**Claim Rejections - 35 U.S.C. §103**

Claims 10, 12-17, and 27 are rejected as being unpatentable over Hsing in view of Ashton. The rejection of these claims is respectfully traversed.

Claims 10 and 12-17 depend from amended claim 1 and claim 27 depends from amended claim 18, and are thus allowable for at least the same reasons. As stated above Hsing fails to teach or disclose renaming failed circuits and receiving trap data in real time. In addition, Ashton fails to overcome Hsing's deficiencies. For example, Ashton merely discloses a packet network management system which cooperates with a plurality of management information vectors. See col. 2, lines 65-67. Therefore, the rejection of these claims should also be withdrawn.

**Claim Rejections - 35 U.S.C. §103**

Claims 11 and 28 are rejected as being unpatentable over Hsing in view of Chen. The rejection of these claims is respectfully traversed.

Claims 11 and 28 depend from amended claims 1 and 18, respectively, and are thus allowable for at least the same reasons. As stated above Hsing fails to teach or disclose renaming failed circuits and receiving trap data in real time. In addition, Chen fails to overcome Hsing's deficiencies. For example, Chens uses alternate paths that are overlapping and therefore they are used as an alternate path for multiple devices and cannot be unused when needed as a failover circuit. See paragraphs [0033] and [0035]. Therefore, the rejection of these claims should also be withdrawn.

#### **Claim Rejections - 35 U.S.C. §103**

Claims 8, 9, 25, and 26 are rejected as being unpatentable over Hsing in view of Bryenton. The rejection of these claims is respectfully traversed.

Claims 8 and 9 depend from amended claim 1 and claims 25 and 26 depend from amended claim 18, and are thus allowable for at least the same reasons. As stated above Hsing fails to teach or disclose renaming failed circuits and receiving trap data in real time. In addition, Bryenton fails to overcome Hsing's deficiencies. For example, Bryenton merely discloses multiplexing multiple connections sharing the same performance objects onto one virtual connection and shunting the data through the underlying network infrastructure. See col. 1, lines 47-52. Therefore, the rejection of these claims should also be withdrawn.

#### **Conclusion**

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicants' attorney at the number listed below.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

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